

**REMARKS**

Claims 1-50 are pending in the application. Claims 1, 2, 4-21, 23-30 and 32-50 are rejected. Claims 1, 3, 5, 6, 7, 9, 10, 15, 19, 20, 22, 24, 25, 26, 28, 29, 31, 33, 34, 35, 37, 40, 43, 46, and 49 have been amended. New claims 51-54 have been added. Reconsideration is respectfully requested.

***Allowable Subject Matter***

Claims 3, 22, and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3, 22, and 31 have been amended to include all of the limitations of their respective base claims. Applicant believes that claims 3, 22, and 31 are now in a condition for allowance.

***Claim Objections***

Claims 9, 15, 19, 28, and 37 are objected to because of informalities..

Claims 9, 15, 19, 28, and 37 have been amended.

***Claim Rejections - 35 U.S.C. § 102***

Claims 1, 2, 9-12, 15, 18-21, 28-30, 37-39, 42, 45, and 48 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,331,983 (Haggerty et al.).

Claim 1 has been amended for clarification. Haggerty fails to disclose at least the element of failure notifications including the MAC addresses associated with the port failure.

In Haggerty the unmap up and unmap down messages do not include MAC address or the port associated with a port failure. Instead, the unmap messages indicate to a switch that the present switch "will no longer be able to provide multicast packets since a link or port at which the packets arrive is no longer functional." Col. 31, lines 5-7. The unmap therefore tells a receiving switch that the local switch "no longer needs to receive multicast packets." Col. 30, lines 6-9. The unmap messages do not include which port failed, nor do they include any MAC addresses associated with the port failure. Therefore, Haggerty does not teach each and every element of claim 1. Claims 2 and 9 are dependant and should also be allowed.

Claim 10 has been amended and should be allowed for at least a similar reason as claim 1. Claims 11, 12, 15, 18, and 19 are dependant on claim 10 and should also be

allowed. Claim 20 has been amended and should be allowed for at least a similar reason as claim 1. Claim 21 and 28 are dependent and should also be allowed. Claim 29 has been amended and should be allowed for at least a similar reason as claim 1. Claims 30 and 37 are dependent and should also be allowed.

With respect to claim 38, Haggerty fails to disclose the element of the failure notifications including a MAC address associated with a port on the switch that has failed for the reasons discussed with respect to claim 1. Claims 39 and 42 are dependant and should also be allowed. Claim 45 and 48 should be allowed for at least similar reasons as claim 38.

***Claim Rejections - 35 U.S.C. § 103***

Claims 5, 6, 8, 13, 14, 24, 25, 27, 33, 34, 36, 40, 43, 46, and 49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haggerty et al. in view of U.S. Patent No. 6,581,166 (Hirst et al.)

Claim 5 has been amended for clarification. Support for the amendment is included in the present specification on page 8, line 24. One of ordinary skill in the art would know that a gratuitous ARP reply is a special type of ARP reply that is not sent in response to an ARP request.

The combination of Haggerty and Hirst fail to teach each and every element of sending an ARP reply but not in response to an ARP request. In Haggerty, ARP replies are sent only in response to ARP requests. Therefore, the ARP replies are not gratuitous. With respect to Haggerty, the Examiner acknowledges that Haggerty fails to disclose ARP replies. Therefore, the combination of Haggerty and Hirst fail to teach each and every element of the claimed invention.

With respect to claim 6, neither reference discloses the element of the gratuitous ARP reply causes a receiving network processing device to send out an ARP request for the MAC address in the gratuitous ARP reply. Claims 8, 13, and 14 are dependant on claim 1 and should be allowed for at least the same reason as claim 1.

Claim 24 and 25 have been amended for clarification and should be allowed for at least similar reasons as claims 5 and 6. Claim 33 and 34 have been amended for clarification and should be allowed for at least similar reasons as claims 5 and 6. Claim 36 is dependent on claim 27 and should be allowed for at least the same reason as claim 27. Claim 40 is dependent on claim 27 and should be allowed for at least the same reason as claim 38. Claim 43 and 46 have been amended for clarification and should be allowed for at least similar

reasons as claims 5 and 6. Claim 49 is dependent on claim 48 and should be allowed for at least the same reason as claim 48 and for similar reasons as claim 5.

Claims 4, 23, and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haggerty et al. in view of U.S. Patent No. 5,959,968 (Chin et al.)

Claims 4, 23, and 32 are dependant claims and should be allowed for at least the reasons discussed above.

Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Haggerty et al. as applied to claim 10 above, and further in view of Hirst et al. in view of U.S. Patent No. 6,256,314 (Rodrig et al.)

Claim 17 is dependant and should be allowed for at least the reasons discussed above.

Claims 7, 26, and 35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Haggerty et al. and Hirst et al. as applied to claims 5, 24, and 33 above, and further in view of Rodrig.

Claims 7, 26, and 35 are dependant claims and should be allowed for at least the reasons discussed above.

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Haggerty et al. in view of U.S. Patent No. 6,757,281 (Irish).

Claim 16 is dependant and should be allowed for at least the reasons discussed above.

Claims 41, 44, and 50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haggerty et al. in view of U.S. Patent No. 6,601,101 (Lee et al.)

The combination of Haggerty and Lee fail to teach each and every element of claim 41. Claim 41 includes the element of an adjacent network-processing device having *multiple ports coupled to the switch*.

The Examiner acknowledges that Haggerty fails to teach this element. Lee also fails to teach this element. Col. 21, lines 42-55 discuss dual NAS switch configuration that is illustrated in Figure 12 of Lee. Referring to figure 12 of Lee, the disks are each connected to different switches. Lee makes clear that the disks shown in figure 12 each different clients and thus different network devices, "[e]ach disk tracks the state of the connections for *its own*

*client* and the thinserver on the switch to ensure coherency." Col. 12, lines 57-59. Neither disk (or client including the disk) has multiple ports connected to either the switch A or the switch B. Thus Lee fails to disclose a single adjacent network-processing device having multiple ports coupled to a switch. Therefore, claim 41 should be allowed for at least the reason that the combination of Haggerty and Lee fail to teach each and every element of claim 41. Claims 44 and 50 should be allowed for at least similar reasons.

Claim 47 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Haggerty et al. in view of Hirst et al. as applied to claim 46 above, and further in view of Lee et al.

Claim 47 should be allowed for at least the reasons discussed above.

#### *New claims*

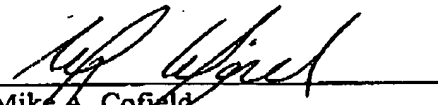
New claim 51 has been added. Support for claim 51 is found in the present specification on page 5, lines 20-27. New claims 52-54 have also been added.

#### *Conclusion*

For the foregoing reasons, reconsideration and allowance of claims 1-54 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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